

### **III. Remarks**

Claims 1-17 were pending in this application. Claims 12-17 are allowed, claims 2, 3, 5-7 and 9-11 are objected to and claims 1, 4 and 8 are rejected. The present amendment amends claims 1 and 5 to more particularly point out and clarify certain aspects of Applicants' invention. No new matter has been added by the present amendment. After this amendment, claims 1-17 will be pending.

Reconsideration of the application in view of the following remarks is respectfully requested.

#### **Objections to the Drawings and Amendments to the Specification**

Paragraph [0048] was amended to recite that "apertures 46 are schematic." This amendment was in response to an objection that the replacement drawings submitted on October 26, 2008 were not approved because the size and the shape of the apertures "as illustrated" in Figure 4 is new matter. Because the replacement drawings were not approved, the objection to the drawings raised in paragraphs 1-3 of the first Office Action dated June 27, 2007 has not been withdrawn. However, the Examiner has suggested that if paragraph [0048] is amended to state that the "apertures 46 are schematic" it is not necessary to resubmit the replacement sheets. Office Action at page 2. Accordingly, Applicants believe that the amendment to paragraph [0048] has cured the objection to the drawings that was originally raised in the first Office Action.

Rejections under 35 U.S.C. § 103

Claims 1, 4, and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,450,527 issued to Kobayashi ("Kobayashi") in view of U.S. Patent No. 5,149,130 issued to Wooley ("Wooley"). The rejection of claims 1, 4 and 8 is respectfully traversed.

Claim 1 has been amended to recite that the gas inlet throat is configured for receiving gas to inflate the inflatable region. A gusset is defined by a wrinkled region of excess fabric and is present in the region proximate to the junction between the gas inlet throat and the inflatable region. The gusset elongates to absorb force that is applied by the gas to the inflatable element when the inflatable region is inflated. Support for this amendment may be found in Applicants' specification at paragraphs [0047], [0053] and [0054].

Kobayashi discloses a protective air-bag 1 having a duct 5 that extends from an intermediate part to a rear end of the air-bag 1. The duct 5 is connected to an inflator 10 which provides gas to inflate an adjacent inflation chamber 11 of the air-bag 1. *Kobayashi* at Col. 4, lines 47-67. Figure 4 illustrates that the duct 5 is separated from an inflation chamber 11 by an integrally formed section of material. The Examiner posits that this section of material is "an integral gusset of excess material." Office Action at page 2. However, this section of material is illustrated in Figure 4 as being flat and there is no disclosure that this section of material has a wrinkled region of excess fabric or that it elongates to absorb force from the inflation gas. Furthermore, Kobayashi fails to disclose that the section of material is fabric.

Accordingly, the Examiner relies on Wooley to disclose an air-bag made from sheets of material that are woven fabric. However, Wooley fails to disclose a wrinkled region of excess fabric which elongates to absorb force from the inflation gas.

Neither Kobayashi nor Wooley independently or in combination, disclose, teach, or suggest the present invention recited in independent claim 1. More specifically, neither Kobayashi nor Wooley disclose, teach, or suggest an air-bag having a wrinkled region of excess fabric that defines a gusset which elongates to absorb force applied by gas to the inflatable element. In that both Kobayashi and Wooley lack the noted element of claim 1, the rejection based thereon should be withdrawn. Accordingly, Applicants believe claim 1 and its dependent claims 4 and 8 are in a condition for allowance.

### Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

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Date

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